

Shirk, Georgette L

From: Ruppel, Joanna
Sent: Thursday, January 26, 2017 4:40 PM
To: Scialabba, Lori L; Renaud, Tracy L
Cc: Strack, Barbara L; Stone, Mary M; Nicholson, Maura J; Groom, Molly M; Busch, Philip B; Zengotitabengoa, Colleen R
Subject: Executive Order impacting refugee admissions -- flagging issue

Lori and Tracy,

I just wanted to flag a couple of issues for you related to section (5)(f) of the draft executive order that would temporarily suspend most refugee processing.

(f)(a) provides that notwithstanding the temporary suspension, "the Secretaries of State and Homeland Security may continue to process as refugees those refugee claims made by individuals on the basis of religious-based persecution, provided that the religion of the individual is a minority religion in the individual's country of nationality."

We need to know if this will be interpreted to mean that we can continue interviewing and making decisions on Lautenberg cases in Vienna and Moscow. We currently have a RAD circuit rider in Vienna conducting these interviews, and we interview Lautenberg cases 4 days a week in Moscow.

Also, we will need to know whether to pull back the teams currently in South Africa (circuit ride scheduled to end February 3) and Indonesia (circuit ride scheduled to end February 10). One thing to note is that we are interviewing some Rohingya (religious minority) in Indonesia, so arguably they could fall within the exception.

We will need guidance on this ASAP, assuming the language in the final order remains the same. So flagging this to you as something to possibly flag to the Department.

Thanks,

Joanna

Joanna Ruppel
Acting Associate Director
USCIS Refugee, Asylum and International Operations Directorate

 (b)(6)

Shirk, Georgette L

From: Ruppel, Joanna
Sent: Thursday, January 26, 2017 6:07 AM
To: Scialabba, Lori L; Renaud, Tracy L; Strack, Barbara L; Stone, Mary M; Nicholson, Maura J; Neufeld, Donald W
Subject: Following to join cases

Lori and Tracy,

I wanted to flag for you that we are going to need some clarification on the anticipated EO today on refugee and visa issuance in terms of impact on the the asylee and refugee following to join cases. We assume that the refugee following to join would be treated as refugees. Not sure whether the asylee following to join would also be treated as refugees or more like visas. They are of course neither.

We understand that State may be issuing guidance to put all following to join cases on hold.

Joanna

Joanna Ruppel
Chief, International Operations Division
U.S. Citizenship and Immigration Services

 (b)(6)

Shirk, Georgette L

From: Ruppel, Joanna
Sent: Friday, January 27, 2017 4:40 PM
To: Scialabba, Lori L; Renaud, Tracy L
Cc: Strack, Barbara L; Stone, Mary M; Groom, Molly M; Zengotitabengoa, Colleen R; Benedict, Deborah L; Nicholson, Maura J
Subject: following-to-join cases

Lori and Tracy,

Just wanted to flag for you that we are instructing our international managers to cancel all travel document pick-ups for I-730 refugee and asylee following-to-join cases for next week. That gives us time to get direction from the Department of the impact of the executive order signed today on both refugee and asylee following-to-join cases.

Joanna

Joanna Ruppel
Acting Associate Director
USCIS Refugee, Asylum and International Operations Directorate

 (b)(6)

Shirk, Georgette L

From: Ruppel, Joanna
Sent: Wednesday, February 01, 2017 4:43 PM
To: Scialabba, Lori L; Renaud, Tracy L
Cc: Strack, Barbara L; Stone, Mary M; Nicholson, Maura J; Kliska, Jennifer R; Benedict, Deborah L; Kwan, Stephanie M; Farnam, Julie E; Walters, Jessica S; Neufeld, Donald W; McCament, James W; Campagnolo, Donna P; Groom, Molly M; Lafferty, John L; Kim, Ted H
Subject: FW: Returning refugees still no-boards
Importance: High

Lori and Tracy,

I know we raised this question, but now flagging for you that CBP guidance is not to board refugees or asylees with refugee travel documents, regardless of their country, unless they have an exemption. See chart below.

This means that there could be someone who has been an asylee or a refugee living in the U.S. for some time (maybe years, in the case of an asylee), who left to go on a business meeting in the U.K. and now cannot get back to family, job, home. Is that really what was intended?

Joanna

From: Strack, Barbara L
Sent: Wednesday, February 01, 2017 4:58 PM
To: [REDACTED] Bartlett, Lawrence E. (b)(6)
Cc: Gauger, Kelly A; Ruppel, Joanna; Groom, Molly M; Zengotitabengoa, Colleen R; Chiorazzi, Anne; Pilch, Jacquelyn J
Subject: RE: Returning refugees still no-boards

Very helpful, thanks. USCIS was not aware of this CBP guidance.

Our counsel is engaging, too. Seems to me personally that the EO is ambiguous on this point.

From: [REDACTED] (b)(6)
Sent: Wednesday, February 01, 2017 4:49:36 PM
To: Strack, Barbara L; Bartlett, Lawrence E.
Cc: Gauger, Kelly A; Ruppel, Joanna; Groom, Molly M; Zengotitabengoa, Colleen R; Chiorazzi, Anne; Pilch, Jacquelyn J
Subject: RE: Returning refugees still no-boards

Barbara,

Yes, this has been implemented as refusal to board and admit ALL returning refugees, regardless of nationality. We just confirmed with NTC and the Executive Director of CBP's Admissibility and Passenger Programs Todd Hoffman that this is the policy. The Commissioner has not been very keen to sign waivers to admit those who somehow were able to board. I am told that this policy was negotiated with State Department. Is that the case?

Please see below for the specific NTC guidance regarding boarding. Apologies for the quality. There's no scanner in the crisis room.

Please let me know if there's anything I can do to help.

[REDACTED] (b)(6)

Official - SBU
UNCLASSIFIED

From: Strack, Barbara L [mailto:[REDACTED]] (b)(6)
Sent: Wednesday, February 01, 2017 4:23 PM
To: [REDACTED] Bartlett, Lawrence E.
Cc: Gauger, Kelly A; Ruppel, Joanna; Groom, Molly M; Zengotitabengoa, Colleen R; Chiorazzi, Anne
Subject: RE: Returning refugees still no-boards

(b)(6)

[REDACTED] we're looking at this now.

To be clear, these refusals to board extend beyond the 7 nationalities?

From: [REDACTED] (b)(6)
Sent: Wednesday, February 01, 2017 4:13:37 PM
To: Bartlett, Lawrence E.; Strack, Barbara L
Cc: Gauger, Kelly A
Subject: Returning refugees still no-boards

Folks,

I know this conversation is probably being had at much higher levels, but I wanted to flag that CBP is denying boarding to returning refugees with refugee travel documents are still being denied boarding and entry, despite the fact that the EO does not prohibit this explicitly. Do we know under what authority this could be done?

I am trying to track down the decision makers here.

[REDACTED]
(b)(6)

Shirk, Georgette L

From: Ruppel, Joanna
Sent: Sunday, January 29, 2017 6:45 PM
To: Scialabba, Lori L; Renaud, Tracy L
Cc: Nicholson, Maura J
Subject: FW: FACT SHEET: Protecting the Nation from Foreign Terrorist Entry to the United States

Importance: High

Tracy and Lori,

This says

"Importantly, however, lawful permanent residents of the United States traveling on a valid I-551 will be allowed to board U.S. bound aircraft and will be assessed for exceptions at arrival ports of entry, as appropriate."

Note the "valid I-551." I think we should revise our guidance to IO staff to have them contact us if they get an I-131A from one of the 7 nationalities until we get a firm answer from the Department on this. As I said, we don't have any now and are unlikely to get one this week, but

Joanna

Joanna Ruppel
Acting Associate Director
USCIS Refugee, Asylum and International Operations

 (b)(6)

From: Alfonso, Angelica M
Sent: Sunday, January 29, 2017 7:40 PM
To: Melero, Mariela; Renaud, Tracy L; Scialabba, Lori L; Renaud, Daniel M; Ruppel, Joanna; Nicholson, Maura J; Strack, Barbara L; Hatchett, Dolline L; Neufeld, Donald W; McCament, James W; Davidson, Andrew J; Emrich, Matthew D; Kerns, Kevin J; Groom, Molly M; Busch, Philip B; Walters, Jessica S; Young, Todd P; Swanson, Toni
Cc: Atkinson, Ronald A; Martin, Heather A
Subject: FACT SHEET: Protecting the Nation from Foreign Terrorist Entry to the United States

FACT SHEET: Protecting the Nation from Foreign Terrorist Entry to the United States

WASHINGTON - The executive order signed on January 27, 2017, allows for the proper review and establishment of standards to prevent terrorist or criminal infiltration by foreign nationals. The United States has the world's most generous immigration system, yet it has been repeatedly exploited by terrorists and other malicious actors who seek to do us harm. In order to ensure that the United States government can conduct a thorough and comprehensive analysis of the national security risks posed from our immigration system, it imposes a 90-day suspension on entry to the United States of nationals of certain designated countries—countries that were designated by Congress and the Obama Administration as posing national security risks in the Visa Waiver Program.

In order to protect Americans, and to advance the national interest, the United States must ensure that those entering this country will not harm the American people subsequent to their entry, and that they do not bear malicious intent toward the United States and its people. The executive order protects the United States from countries compromised by terrorism and ensures a more rigorous vetting process. This Executive Order ensures that we have a functional immigration system that safeguards our national security.

This executive order, as well as the two issued earlier in the week, provide the Department with additional resources, tools and personnel to carry out the critical work of securing our borders, enforcing the immigration laws of our nation, and ensuring that individuals who pose a threat to national security or public safety cannot enter or remain in our country. Protecting the American people is the highest priority of our government and this Department.

The Department of Homeland Security will faithfully execute the immigration laws and the President's executive order, and we will treat all of those we encounter humanely and with professionalism.

Authorities

The Congress provided the president of the United States, in section 212(f) of the Immigration and Nationality Act (INA), with the authority to suspend the entry of any class of aliens the president deems detrimental to the national interest. This authority has been exercised by nearly every president since President Carter, and has been a component of immigration laws since the enactment of the INA in 1952.

Actions

For the next 90 days, nearly all travelers, except U.S. citizens, traveling from Iraq, Syria, Sudan, Iran, Somalia, Libya, and Yemen will be temporarily suspended from entry to the United States. The 90 day period will allow for proper review and establishment of standards to prevent terrorist or criminal infiltration by foreign nationals.

Importantly, however, lawful permanent residents of the United States traveling on a valid I-551 will be allowed to board U.S. bound aircraft and will be assessed for exceptions at arrival ports of entry, as appropriate. The entry of these individuals, subject to national security checks, is in the national interest. Therefore, we expect swift entry for these individuals.

In the first 30 days, DHS will perform a global country-by-country review of the information each country provides when their citizens apply for a U.S. visa or immigration benefit. Countries will then have 60 days to comply with any requests from the U.S. government to update or improve the quality of the information they provide.

DHS and the Department of State have the authority, on a case-by-case basis, to issue visas or allow the entry of nationals of these countries into the United States when it serves the national interest. These seven countries were designated by Congress and the Obama Administration as posing a significant enough security risk to warrant additional scrutiny in the visa waiver context.

The Refugee Admissions Program will be temporarily suspended for the next 120 days while DHS and interagency partners review screening procedures to ensure refugees admitted in the future do not pose a security risk to citizens of the United States.

The executive order does not prohibit entry of, or visa issuance to, travelers with diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas.

The Department of Homeland Security along with the Department of State, the Office of the Director of National Intelligence, and the Federal Bureau of Investigation will develop uniform screening standards for all immigration programs government-wide.

Upon resumption of the U.S. Refugee Admissions Program, refugee admissions to the United States will not exceed 50,000 for fiscal year 2017.

The Secretary of Homeland Security will expedite the completion and implementation of a biometric entry-exit tracking system of all travelers into the United States.

Federal Government

As part of a broader set of government actions, the Secretary of State will review all nonimmigrant visa reciprocity agreements to ensure that they are, with respect to each visa classification, truly reciprocal.

The Department of State will suspend the Visa Interview Waiver Program and ensure all individuals seeking nonimmigrant visas undergo an in-person interview.

Transparency

The Department of Homeland Security, in order to be more transparent with the American people, and to more effectively implement policies and practices that serve the national interest will make information available to the public every 180 days. In coordination with the Department of Justice, DHS will provide information regarding the number of foreign nationals charged with terrorism-related offense or gender-based violence against women while in the United States.

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Shirk, Georgette L

From: Nicholson, Maura J
Sent: Sunday, January 29, 2017 7:21 AM
To: Ruppel, Joanna
Subject: FW: FOR REVIEW: Draft interim guidance on EO
Attachments: DRAFT EO Guidance to IO - 20170128 v.1 EMEA comments.docx

FYI. I'm going to share another email about the Cape Town CR.

From: Johnson, Bobbie L
Sent: Sunday, January 29, 2017 6:36:46 AM
To: Monica, Donald J; Nicholson, Maura J; Spalter, Brian M; Langlois, Joseph E; Fatica, Erin K; Lassen, Brett H
Cc: Kliska, Jennifer R
Subject: RE: FOR REVIEW: Draft interim guidance on EO

Maura,

Please see EMEA's full comments attached. In quick summary:

1. We strongly urge the cancelation of the Cape Town CR today and that our officers should not interview tomorrow. If it is too late to inform the applicants of the cancelation, then the officers can stay on the ground and fingerprint only until further guidance is provided.
2. There should be bright line guidance on both I-590s and I-730s without carve outs at this time, since we do not yet have the authority to make the exceptions the EO mentions.
 - a. For both I-730s and I-590s, cancel all interviews for now. If the interview cannot be canceled before the individual appears at our office, we should only fingerprint them. No exceptions for now.
3. We suggest completing RFRs if the decision would result in the underlying denial being upheld (which occurs approx. 65% of the time in EMEA).
4. We need cleared language for a wide variety of inquiries our offices are starting to get, both by phone and email. Examples are given in the attached comments. Even if that cleared language is simply "guidance will be forthcoming; please refer to the USCIS website" or "please contact CBP."
5. We do not agree our offices should adjudicate I-131As and issue boarding letters to individuals from any of the 7 named countries. This puts our FODs and officers who will sign off on these letters in a delicate position and may give the wrong signal to the individual, when ultimately CBP will have the final determination.

We very much appreciate how challenging it is to develop guidance right now. Thank you for the opportunity to provide input.

Bobbie

From: Monica, Donald J
Sent: Sunday, January 29, 2017 3:43 AM
To: Nicholson, Maura J; Spalter, Brian M; Johnson, Bobbie L; Langlois, Joseph E; Fatica, Erin K; Lassen, Brett H
Cc: Kliska, Jennifer R
Subject: RE: FOR REVIEW: Draft interim guidance on EO

Re: your request for comments on the interim guidance.

Part E references not issuing final decisions on any other form types. This should be clarified to address:

A. Does it include Forms I-407 since this is not an application or petition.

B. Is it intended to include beneficiaries irrespective of age? E.g., an I-130 or I-600 filed by a USC parent on behalf of a child from one of the designated countries.

C. Does it apply to mil Natz N-400s filed by members of the US military or eligible spouses who are nationals of one of the designated countries?

D. Does it apply to I-130s filed by a USC member of the military on behalf of a spouse or child who is a national of one of the designated countries?

Probably more to follow.

From: Nicholson, Maura J

Sent: Saturday, January 28, 2017 6:42:16 PM

To: Monica, Donald J; Spalter, Brian M; Johnson, Bobbie L; Langlois, Joseph E; Fatica, Erin K; Lassen, Brett H

Cc: Kliska, Jennifer R

Subject: FOR REVIEW: Draft interim guidance on EO

DDs/DDDs,

We are continuing to seek clarification on elements of the E.O. signed Friday night, so the situation remains rather fluid. That said, the attached is a draft outline of the guidance I'm hoping you can review – I want to ensure I've captured our immediate needs, understanding that we'll have fuller guidance once DHS implementing guidance is issued and USCIS is able to issue its own, as well. If you are able to provide a quick review and get me any comments or questions tomorrow, I'll incorporate your feedback into the 'final' interim guidance to the field tomorrow. Continue to send questions my way – they've been very helpful in flagging issues we need to address.

Still no decision on our 2 CRs. At this point, I don't expect I'll have a further update until after their processed ends on Monday, so the teams should plan to proceed business as usual. Hopefully with this knowledge they can fully enjoy their Sunday. I appreciate their patience very much; limbo is not a desirable place to be.

Thank you!

Maura

Maura J. Nicholson

Deputy Chief, International Operations Division

USCIS/Refugee, Asylum & International Operations

 (b)(6)

Interim Guidance for International Operations in Response to Executive Order Signed January 27, 2017

Note: We will be creating a case tag in CAMINO to identify all cases on hold per this executive order.

(b)(5)

1. Refugee-Related Processing

Immediate impact of E.O. on refugee processing: Admission of refugees and refugee follow-to-join beneficiaries of all nationalities is suspended for 120 days. Syrian cases have been suspended until further notice. E.O. provides for carve-outs for certain religious minorities, but we are awaiting further guidance on how those will be defined.

A. Refugee and I-730 Refugee Follow-to-Join Processing

We will provide you with a CAMINO report to identify all I-730 Refugee Follow-to-Join Cases. Depending on the volume, we will run a script to place on hold and pause the CAMINO Clock or will ask you to do so, pursuant to the guidance below.

Given what we know so far, staff should follow the guidance outlined below, depending on the stage of case processing:

1. Interview already scheduled, sufficient time to cancel
 - Cancel interview, even if Lautenberg or other religious minority case. We will offer further guidance on these types of cases as soon as it is available.
 - For I-730 Refugee Follow-to-Join Cases, pause CAMINO Clock effective 1/27/2017; enter note "Per Executive Order".
2. Interview already scheduled, insufficient time to cancel
 - If (1) P1 religious minority in his or her country of nationality facing religious persecution or (2) Lautenberg case, proceed with the interview. If P1 that's not a religious minority as described above, collect fingerprints and notify applicant of temporary suspension of refugee processing and that he/she will be contacted with additional information in the future when we are able to proceed. We will get you talking points as soon as possible regarding the suspension; as you may be asked about timing of the decision or rescheduled interview.
 - For I-730 Refugee Follow-to-Join Cases, pause CAMINO Clock effective 1/27/2017; enter note "Per Executive Order".
3. Interview not yet scheduled
 - Do not schedule any cases until further notice. Guidance on continued processing of religious minorities will be forthcoming.
 - For I-730 Refugee Follow-to-Join Cases, pause CAMINO Clock effective 1/27/2017; enter note "Per Executive Order".

I-730 Refugee Follow-to-Join (Only)

4. Already interviewed, pending
 - Stop all case processing. Pause CAMINO Clock effective 1/27/2017; enter note "Per Executive Order". No final decisions or travel packets should be issued.

Interim Guidance for International Operations in Response to Executive Order Signed January 27, 2017

5. If travel documents already prepared but not yet issued by IOM or USCIS to the individual, issued but individual has not yet traveled

- Get travel packet back from IOM, and keep with case file while case on hold.
- If IOM does not yet have the travel packet, keep the travel packet with the case file while case is on hold.
- In locations where USCIS issues travel packets directly to the individual, do not issue the travel packet but keep the packet with the case file while the case is on hold.

(b)(5)

6. If travel documents have already been issued to the individual but the individual has not yet traveled

a.

6-7. If new cases received

- Immediately pause the Clock upon case entry, noting 1/27/2017 E.O.

B. I-590 adjudication

a. Officers should not proceed with making decisions on I-590 cases

B.C. I-590 Supervisory Review

- Stop all supervisory review of cases, as after the 120-day suspension, until further guidance. The manner in which refugee cases are adjudicated and processed may undergo changes.

C.D. RFR Adjudications

- Please suspend all RFR adjudications until further notice. Pause the Clock in CAMINO as of 1/27/2017.

2. Other Immigration Benefits

Immediate impact of E.O. on visa issuance and other immigration benefits: Issuance of visas and certain other immigration benefits is suspended for 90 days for applicants and beneficiaries of Iraq, Iran, Libya, Somalia, Sudan, Syria, and Yemen.

Given what we know so far, staff should follow the guidance outlined below for any individual who is a national or dual national of the countries listed above, depending on the case type:

D.E. I-730 Asylee Follow-to-Join Processing

1. Interview already scheduled, sufficient time to cancel

- Cancel interview. Pause CAMINO Clock effective 1/27/2017; enter note "Per Executive Order".

2. Interview already scheduled, insufficient time to cancel

- Collect fingerprints and notify them of temporary suspension of processing and that they will be contacted with additional information in the future when we are able to continue processing.

Interim Guidance for International Operations In Response to Executive Order Signed January 27, 2017

- Pause CAMINO Clock effective 1/27/2017; enter note "Per Executive Order".
- 3. *Interview not yet scheduled*
 - Do not schedule any cases until further notice. Pause CAMINO Clock effective 1/27/2017; enter note "Per Executive Order".
- 4. *Already interviewed, pending*
 - If case decision is denial, process to completion.
 - For all other cases, stop all case processing, and pause CAMINO Clock effective 1/27/2017; enter note "Per Executive Order". No final decisions or travel packets should be issued.
- 5. *If travel documents already issued but individual has not yet traveled*
- 6. *If new cases received*
 - Immediately pause the Clock upon case entry, noting 1/27/2017 E.O.

E.F. All Other Benefit Types

- Until further notice, do not issue any final decisions on any other form types, unless noted as an exception below. Pause CAMINO case Clock effective 1/27/2017, and enter note "Per Executive Order".
 - Form I-131A boarding letters may continue to be processed, even if the applicant is a national of one of the 7 countries listed above.
- a. For inquiries from individuals from one of the 7 countries listed above, inform the inquirer...

(b)(5)

Shirk, Georgette L

From: Nicholson, Maura J
Sent: Tuesday, January 31, 2017 6:14 AM
To: Ruppel, Joanna
Subject: FW: Requests from Consular for Local I-130 Filings

Joanna,

I believe I-130s among other non-benefit-granting petitions will be allowed to move forward when agency guidance comes out, but for now they can't. In this situation, I think it prudent to have them hold on a decision to State, rather than deny it, in the hopes they can soon move forward.

Is this consistent with your thinking?

Maura

From: Johnson, Bobbie L
Sent: Tuesday, January 31, 2017 6:06:06 AM
To: Nicholson, Maura J
Cc: Langlois, Joseph E; Kliska, Jennifer R
Subject: Requests from Consular for Local I-130 Filings

Maura,

Our offices have received a few local I-130 filing requests, involving petitioners and/or beneficiaries from one of the seven countries, from Consular Sections at Posts where USCIS is not present. If there are no exceptional circumstances to justify our FOD authorizing State to accept and adjudicate the I-130, we will inform Post that we have denied the request for local filing on the grounds that no exceptional circumstances exist.

However, if our FOD finds that exceptional circumstances exist, should we not approve Post's request if the petitioner and/or beneficiary is from one of the seven countries? Here is how we propose responding to Consular requests, but we want to be sure we're consistent with how other districts are handling and how IO recommends:

At this time, USCIS has been instructed not to issue any final approvals for any application for nationals or dual nationals of the seven countries referenced in the Executive Order, with the exception of Form I-131A (Carrier Documentation). Therefore, at this time, we do not approve the request of the Department of State to accept and adjudicate the I-130, since the beneficiary is from one of the seven listed countries.

Our reasoning is this: If we grant State's request for local I-130 filing, we are granting them the authority to accept and adjudicate – the I-130 is then out of our hands. Once State has the authority, they will be making the decision on the I-130 and we won't be in a position to tell them not to adjudicate it. Also, where exceptional circumstances exist, there is usually a time-sensitivity to the case, so it would not make sense to simply delay our response to State's request.

Please let us know if IO recommends a different course of action or response. It would also be interesting to know if CA/VO has given any instructions to Posts on this matter. Additionally, there are blanket authorizations in effect (e.g., Yemen), and we aren't even seeing individual requests from Consular for those, of course.

Thank you for your guidance in this matter.

Bobbie

Shirk, Georgette L

From: Nicholson, Maura J
Sent: Thursday, February 02, 2017 6:05 PM
To: RAIO - Oversea Managers; RAIO - International Ops - HQ
Subject: Implementing Guidance for January 27 Executive Order
Attachments: EO 1-27 implementation guidance signed and dated.pdf

IO colleagues,

Attached please find agency guidance on the handling of adjudications in light of the Executive Order (Protecting the Nation) signed on January 27, 2017.

A couple of clarifying points:

- Point 3 – until further guidance is issued on the handling of I-730 beneficiaries outside of the United States, please continue to follow the guidance I provided on January 29 (relevant text pasted below):
 - Do not issue any final approvals for any I-730 refugee following to join cases.
 - Do not issue any final approvals for I-730 asylee following to join adjudication and travel eligibility cases for nationals or dual nationals of the 7 countries referenced in the Executive Order (Iraq, Iran, Libya, Somalia, Sudan, Syria, and Yemen).

For these cases, please pause the Clock in CAMINO, and note as the reason Executive Order 1/27.

- Point 4 – IO staff will only interview religious minority cases if referred by State/PRM. We are working with State/PRM to determine the plan for refugee processing, including religious minorities, over the next 120 days and for the remainder of the year. We will let you know when processing of such cases will occur.

Further guidance related to IO adjudications not addressed in the attached will be forthcoming.

Thanks,

Maura

Maura J. Nicholson
Acting Chief, International Operations Division
USCIS/Refugee, Asylum & International Operations

 (b)(6)



**U.S. Citizenship
and Immigration
Services**

FEB 2 2017
Memorandum

TO: All USCIS Employees

FROM: Lori L. Scialabba *Lori Scialabba*
Acting Director

SUBJECT: Guidance Concerning Executive Order on Immigration

On January 27, President Trump signed an Executive Order entitled "Protecting The Nation From Foreign Terrorist Entry Into The United States." This memorandum provides guidance from the Department of Homeland Security (DHS) regarding the impact of this Executive Order on various immigration benefit requests.

All USCIS employees should be aware of current guidance from DHS, specifically:

1. Section 3(c) of the Executive Order does not affect USCIS adjudication of applications and petitions filed for or on behalf of individuals in the United States regardless of their country of nationality. Section 3(c) also does not affect applications and petitions by lawful permanent residents outside the United States, or applications and petitions for individuals outside the United States whose approval does not directly confer travel authorization (including any immigrant or nonimmigrant visa petition). This includes, but is not limited to, the matters discussed more specifically in paragraphs 2, 3 and 5 below.
2. Applications to Register Permanent Residence or Adjust Status (Form I-485) may continue to be adjudicated, according to existing policies and procedures, for applicants who are nationals of countries designated in the Executive Order.
3. USCIS will adjudicate Refugee/Asylee Relative Petitions (Form I-730) for all beneficiaries, from any country of nationality, currently in the United States according to

existing policies and procedures. Further guidance will be issued with respect to beneficiaries currently outside of the United States.

4. USCIS will continue refugee interviews when the person is a religious minority in his or her country of nationality facing religious persecution. Additionally, USCIS will continue refugee interviews in jurisdictions where there is a preexisting international agreement related to refugee processing. USCIS will not approve a refugee application for an individual who we determine would pose a risk to the security or welfare of the United States.
5. USCIS will continue adjudicating all affirmative asylum cases according to existing policies and procedures.

Questions concerning the information contained in this memorandum may be addressed via your directorate or program office through appropriate supervisory channels.

Shirk, Georgette L

From: Nicholson, Maura J
Sent: Sunday, January 29, 2017 6:04 PM
To: RAIO - Oversea Managers
Cc: Ruppel, Joanna; Hadary, Jonah J; Kwan, Stephanie M; Kliska, Jennifer R
Subject: FW: STATEMENT BY SECRETARY JOHN KELLY ON THE ENTRY OF LAWFUL PERMANENT RESIDENTS INTO THE UNITED STATES

Field managers,

I wanted to make you aware of the statement made by Secretary Kelly earlier today with respect to LPRs re-entering the United States. Consistent with S1's directive, all field offices should continue to process I-131A applications filed by LPRs overseas, regardless of the nationality of the applicant. To confirm, I-131As filed by LPRs who are nationals or dual nationals of the 7 countries outlined in the Executive Order signed on January 27 (Iraq, Iran, Libya, Somalia, Sudan, Syria, and Yemen), should continue to be adjudicated and travel documents issued per existing guidance.

Additional guidance related to the issuance of that E.O. will be forthcoming. Thanks for your patience – I know you have a number of questions, and we will work as quickly as we can with others in USCIS and the Department to clarify them.

Thanks,

Maura

From: Renaud, Tracy L
Sent: Sunday, January 29, 2017 3:24:02 PM
To: Ruppel, Joanna; Renaud, Daniel M; Neufeld, Donald W
Subject: FW: STATEMENT BY SECRETARY JOHN KELLY ON THE ENTRY OF LAWFUL PERMANENT RESIDENTS INTO THE UNITED STATES

FYI

Tracy L. Renaud
Acting Deputy Director
US Citizenship & Immigration Services
Department of Homeland Security

 (b)(6)

From: Alfonso, Angelica M
Sent: Sunday, January 29, 2017 6:19:32 PM
To: Scialabba, Lori L; Renaud, Tracy L; Atkinson, Ronald A; Carter, Jeffrey T (Jeff); Hatchett, Doline L; Groom, Molly M; Melero, Mariela
Subject: FW: STATEMENT BY SECRETARY JOHN KELLY ON THE ENTRY OF LAWFUL PERMANENT RESIDENTS INTO THE UNITED STATES

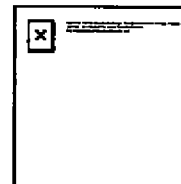
Angelica Alfonso-Royals
Chief, Office of Legislative Affairs
U.S. Citizenship and Immigration Services

From: DHS Press Office

Sent: Sunday, January 29, 2017 11:15:58 PM

To: Alfonso, Angelica M

Subject: STATEMENT BY SECRETARY JOHN KELLY ON THE ENTRY OF LAWFUL PERMANENT RESIDENTS INTO THE UNITED STATES



Press Office

U.S. Department of Homeland Security

Press Release

January 29, 2017

Contact: DHS Press Office, 202-282-8010

STATEMENT BY SECRETARY JOHN KELLY ON THE ENTRY OF LAWFUL PERMANENT RESIDENTS INTO THE UNITED STATES

WASHINGTON – In applying the provisions of the president's executive order, I hereby deem the entry of lawful permanent residents to be in the national interest.

Accordingly, absent the receipt of significant derogatory information indicating a serious threat to public safety and welfare, lawful permanent resident status will be a dispositive factor in our case-by-case determinations.

###

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Office of Public Affairs · 202-282-8010 · mediainquiry@hq.dhs.gov



U.S. Department of Homeland Security · Washington, DC 20018

Shirk, Georgette L

From: Nicholson, Maura J
Sent: Monday, January 30, 2017 12:07 PM
To: Monica, Donald J; Spalter, Brian M; Langlois, Joseph E; Johnson, Bobbie L; Fatica, Erin K; Lassen, Brett H
Cc: Ruppel, Joanna; Kliska, Jennifer R
Subject: RE: Interim Guidance on Executive Order Signed January 27

DDs/DDDs,

Just to clarify, below is the official guidance for you to follow right now. The draft guidance that you commented on this past weekend has not yet been cleared for issuance and the situation continues to evolve. You'll note there were some differences between the guidance I provided below and what had been in the draft guidance I had you comment on. Please only follow the guidance below for now.

Thanks,

Maura

From: Nicholson, Maura J
Sent: Sunday, January 29, 2017 7:58 PM
To: Monica, Donald J; Spalter, Brian M; Langlois, Joseph E; Johnson, Bobbie L; Fatica, Erin K; Lassen, Brett H
Cc: Ruppel, Joanna; Kliska, Jennifer R
Subject: Interim Guidance on Executive Order Signed January 27
Importance: High

DDs/DDDs,

I realize that you have many questions about the Executive Order and appreciate that you have been sending them forward. Please continue to do so. Unfortunately, things remain in flux and we do not have cleared guidance we can provide other than the following for the next few days or less (if we get additional guidance sooner):

- Do not issue any final approvals for any I-730 refugee following to join cases. Further guidance will be coming about how to update CAMINO, etc.
- Do not issue any final approvals for any other application, including I-730 asylee following to join adjudication and travel eligibility cases for nationals or dual nationals of the 7 countries referenced in the Executive Order (Iraq, Iran, Libya, Somalia, Sudan, Syria, and Yemen), with the exception of I-131As (see attached email). You can approve I-131As for all applicants following existing guidance, which requires that you flag for HQ any with serious derogatory information for possible discretionary denials. Further guidance will be coming.
- If you have refugee cases scheduled for Monday or Tuesday of this week, please cancel them if there is sufficient time to do so. If there is not sufficient time to cancel, then please collect the applicant's biometrics, review his or her bio-data for accuracy and completeness, and inform the applicant that he/she will be notified when the case is able to proceed in the future.

Right now, we are staying the course on the refugee CR in Indonesia; the team on the ground can continue interviewing and processing the cases there until further notice.

The above guidance is only a stop-gap to assist in addressing the most urgent needs for the next couple of days when more detailed cleared guidance can be issued. Also, for awareness, OCOMM is working on talking points and FAQs related to the Executive Order, which should be issued via USCIS Broadcast soon.

I appreciate the difficulty of being on the front line and getting inquiries from the public and others for which we don't yet have complete answers. Many people throughout the Agency and Department are working hard to sort out the impact of the E.O. on the Agency, and I will continue to keep you posted.

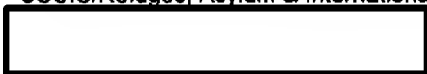
Thank you for your continued patience as we navigate the current policy changes.

Maura

Maura J. Nicholson

Deputy Chief, International Operations Division

USCIS/Refugee, Asylum & International Operations



(b)(6)

Shirk, Georgette L

From: Spalter, Brian M
Sent: Sunday, January 29, 2017 6:29 PM
To: APAC FOD
Subject: RE: circuit ride update
Attachments: 2017protectingtheNationfromTerroristEntryintotheUnitedStates.eo.rel.docx

FODs:

For those who may not have seen it, attached is a copy of the signed Executive Order itself. As present, we continue to await clarifying guidance from HQ and will be certain to inform you as soon as it is received.

Regards,
Brian

From: Monica, Donald J
Sent: Saturday, January 28, 2017 10:07 AM
To: APAC FOD
Subject: FW: circuit ride update

FODs:

Please confirm receipt of this message when you read it.

See below. This relates to the refugee Executive Order. As noted, it was signed, but HQ/IO has not yet seen it. Of immediate priority is that we are cancelling both refugee and I-730 interviews (both refugee and asylee FTJ), as well as the pick of travel packets by I-730 applicants. While Maura's email mentions cancelling I-730 travel package pickups, but does not mention cancelling interviews, in a separate reply to an inquiry from EMEA she indicates that for now interviews should also be cancelled.

More to follow as info becomes available.

Don

From: Nicholson, Maura J
Sent: Saturday, January 28, 2017 6:33 AM
To: Langlois, Joseph E; Johnson, Bobbie L; Monica, Donald J; Spalter, Brian M; Lassen, Brett H; Fatica, Erin K
Cc: Kliska, Jennifer R
Subject: RE: circuit ride update

All,

This evening, the EO affecting refugee processing was signed, however we have not yet seen the final text. We believe we will need to stop processing refugees on Monday – I should know more and will confirm later this weekend. DHS is aware of our 2 on-going CRs as well as RAD's in Vienna, and I hope to soon let you know whether we'll need to have our travelers curtail. We are also seeking guidance from DHS on Lautenberg processing in MOS and whether that will be able to continue.

In the meantime, please have your offices cancel all travel document pick-ups for I-730s (both refugee and asylee FTJs) for the next week. That will give us some time to get direction from DHS on the impact that today's EO will have on I-730 processing. We will also coordinate with State early next week on steps taken with respect to that caseload.

It will take some time to get the DHS implementing guidance for the EO, so I appreciate your patience while we sort out precisely what the impact of the EO will be. I will be sure to share any information with you as I can – and please do not hesitate to pose questions so that I can ensure we get the answers you need.

Thanks,

Maura

From: Nicholson, Maura J

Sent: Thursday, January 26, 2017 6:59 PM

To: Langlois, Joseph E; Johnson, Bobbie L; Monica, Donald J; Spalter, Brian M; Lassen, Brett H; Fatica, Erin K

Cc: Kliska, Jennifer R

Subject: RE: circuit ride update

All,

State/PRM, RAD, and IO spoke this evening to coordinate and determine next steps with respect to refugee processing. Latest we've heard is that the EO will be signed tomorrow, so we still don't have final language which will be key in determining handling of on-going CRs in Cape Town and Indonesia (RAD also has a circuit rider interviewing Lautenbergs in Vienna now), and refugee processing in our field offices. The final EO language will also help inform processing of Lautenbergs in MOS, and other religious minorities (including Rohingya in Indonesia). We need to continue to interview refugee cases until told otherwise.

In the meantime, though, we are cancelling all CRs scheduled to depart between now and February 15, consistent with RAD. This includes the fingerprinting CR to Malta that departs Monday. PRM has notified their RSCs of these cancellations.

RAD, IO and PRM will have a standing daily meeting for the foreseeable future to coordinate, as needed.

More info and guidance to follow when available. Please let me know if you have any questions.

Thanks,

Maura

From: Nicholson, Maura J

Sent: Wednesday, January 25, 2017 6:19 PM

To: Langlois, Joseph E; Johnson, Bobbie L; Monica, Donald J; Spalter, Brian M

Cc: Lassen, Brett H; Fatica, Erin K; Kliska, Jennifer R

Subject: FW: circuit ride update

All,

FYI that RAD is suspending CRs through February 15 in light of the Executive Order that is expected tomorrow and which will affect refugee processing. We will be awaiting implementing guidance from DHS once the order is signed and can then assess what action we may need to take on our 2 currently deployed CRs and those scheduled for departure in February. We'll also then get a sense of how our I-730 caseloads will be affected.

I'm sure you've seen drafts online of the executive order as well as much press about what's likely coming, but we don't know what, if anything, of what's been reported may get changed in the final hours before the EO is signed.

FYI,

Maura

From: Stone, Mary M
Sent: Wednesday, January 25, 2017 4:17 PM
To: Ruppel, Joanna; Nicholson, Maura J
Subject: FW: circuit ride update

From: Strack, Barbara L
Sent: Wednesday, January 25, 2017 4:03:19 PM
To: RAIO - Refugee1
Subject: FW: circuit ride update

From: Strack, Barbara L
Sent: Wednesday, January 25, 2017 3:37:28 PM
To: Strack, Barbara L
Subject: circuit ride update

Dear RAD staff – I know that many of you have seen draft copies of an Executive Order related to the USRAP that is expected to be finalized and signed tomorrow. In light of this anticipated announcement, we've determined that it would be prudent to suspend circuit rides that are scheduled to depart between now and February 15.

We are also suspending the remaining PDBs planned for this week.

For our TDYers who are here in DC, we will be sharing information as soon as possible about travel arrangements for returning to home offices.

I hope to share more information tomorrow.

Barbara

Shirk, Georgette L

From: Spalter, Brian M
Sent: Tuesday, January 31, 2017 1:53 AM
To: Sherman, Kenneth J
Cc: Monica, Donald J
Subject: RE: Interim Guidance on Executive Order Signed January 27

Hi Ken,

We have not yet received specific guidance on this issue but I have asked HQ and will let you know as soon as we have a response. In the interim, I would ask that you hold off on finalizing FTJ-A cases. I anticipate we will receive a reply tonight and will let you know as soon as we do.

Thanks,
Brian

From: Sherman, Kenneth J
Sent: Tuesday, January 31, 2017 2:01 PM
To: Spalter, Brian M; Monica, Donald J
Cc: Sherman, Kenneth J
Subject: FW: Interim Guidance on Executive Order Signed January 27

Brian,

Maura's message stated the following:

- Do not issue any final approvals for any other application, including I-730 asylee following to join adjudication and travel eligibility cases for nationals or dual nationals of the 7 countries referenced in the Executive Order (Iraq, Iran, Libya, Somalia, Sudan, Syria, and Yemen), with the exception of I-131As (see attached email). You can approve I-131As for all applicants following existing guidance, which requires that you flag for HQ any with serious derogatory information for possible discretionary denials. Further guidance will be coming.

Probably over thinking it, but does that mean we can issue travel packets (foils for pilot and transportation letters for non-pilot) for FTJ-Asylum cases where applicants are not from 7 designated countries. Maura indicates we can approve the cases, but doesn't state whether we can issue travel packets.

Thank you,
Ken

From: Spalter, Brian M
Sent: Tuesday, January 31, 2017 6:27 AM
To: APAC FOD
Subject: RE: Interim Guidance on Executive Order Signed January 27

FODs:

Following up on this, the guidance below continues to be in place for the time being. It is not anticipated that any changes or updates will be forthcoming today (i.e. during business hours in the Asia-Pacific region). We will be certain, however, to let you know as soon as additional information becomes available.

Regards,
Brian

From: Spalter, Brian M
Sent: Monday, January 30, 2017 8:11 AM
To: APAC FOD
Subject: FW: Interim Guidance on Executive Order Signed January 27
Importance: High

FODs:

Please see the preliminary guidance we have received from HQ below. As noted, it is intended only to assist in addressing immediate issues (the current CR in Indonesia, refugee cases for today and tomorrow, etc.) until finalized guidance can be issued in the coming days. We will be certain to inform you as soon as further information is received.

Regards,
Brian

From: Nicholson, Maura J
Sent: Monday, January 30, 2017 7:58 AM
To: Monica, Donald J; Spalter, Brian M; Langlois, Joseph E; Johnson, Bobbie L; Fatica, Erin K; Lassen, Brett H
Cc: Ruppel, Joanna; Kliska, Jennifer R
Subject: Interim Guidance on Executive Order Signed January 27
Importance: High

DDs/DDDs,

I realize that you have many questions about the Executive Order and appreciate that you have been sending them forward. Please continue to do so. Unfortunately, things remain in flux and we do not have cleared guidance we can provide other than the following for the next few days or less (if we get additional guidance sooner):

- Do not issue any final approvals for any I-730 refugee following to join cases. Further guidance will be coming about how to update CAMINO, etc.
- Do not issue any final approvals for any other application, including I-730 asylee following to join adjudication and travel eligibility cases for nationals or dual nationals of the 7 countries referenced in the Executive Order (Iraq, Iran, Libya, Somalia, Sudan, Syria, and Yemen), with the exception of I-131As (see attached email). You can approve I-131As for all applicants following existing guidance, which requires that you flag for HQ any with serious derogatory information for possible discretionary denials. Further guidance will be coming.
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Right now, we are staying the course on the refugee CR in Indonesia; the team on the ground can continue interviewing and processing the cases there until further notice.

The above guidance is only a stop-gap to assist in addressing the most urgent needs for the next couple of days when more detailed cleared guidance can be issued. Also, for awareness, OCOMM is working on talking points and FAQs related to the Executive Order, which should be issued via USCIS Broadcast soon.

I appreciate the difficulty of being on the front line and getting inquiries from the public and others for which we don't yet have complete answers. Many people throughout the Agency and Department are working hard to sort out the impact of the E.O. on the Agency, and I will continue to keep you posted.

Thank you for your continued patience as we navigate the current policy changes.

Maura

Maura J. Nicholson
Deputy Chief, International Operations Division
USCIS/Refugee, Asylum & International Operations



(b)(6)

Shirk, Georgette L

From: Johnson, Bobbie L
Sent: Thursday, January 26, 2017 2:44 AM
To: RomeDist
Cc: Langlois, Joseph E; Nicholson, Maura J
Subject: EMEA Circuit Rides

EMEA Staff,

Please see the information below we just received this morning regarding refugee circuit rides. We wanted to be sure you have the most recent information right away.

At this time, we in IO are not being asked to cancel circuit rides that are currently deployed and we are not being asked to cease planning circuit rides that are scheduled to deploy. We will be discussing the situation with Maura today and will certainly keep you updated if that changes.

If you have any questions, please reach out to me and Joe.

Thank you,

Bobbie

From: Nicholson, Maura J
Sent: Thursday, January 26, 2017 12:19 AM
To: Langlois, Joseph E; Johnson, Bobbie L; Monica, Donald J; Spalter, Brian M
Cc: Lassen, Brett H; Fatica, Erin K; Kliska, Jennifer R
Subject: FW: circuit ride update

All,

FYI that RAD is suspending CRs through February 15 in light of the Executive Order that is expected tomorrow and which will affect refugee processing. We will be awaiting implementing guidance from DHS once the order is signed and can then assess what action we may need to take on our 2 currently deployed CRs and those scheduled for departure in February. We'll also then get a sense of how our I-730 caseloads will be affected.

I'm sure you've seen drafts online of the executive order as well as much press about what's likely coming, but we don't know what, if anything, of what's been reported may get changed in the final hours before the EO is signed.

FYI,

Maura

From: Stone, Mary M
Sent: Wednesday, January 25, 2017 4:17 PM
To: Ruppel, Joanna; Nicholson, Maura J
Subject: FW: circuit ride update

From: Strack, Barbara L
Sent: Wednesday, January 25, 2017 4:03:19 PM
To: RAIO - Refugee1
Subject: FW: circuit ride update

From: Strack, Barbara L
Sent: Wednesday, January 25, 2017 3:37:28 PM
To: Strack, Barbara L
Subject: circuit ride update

Dear RAD staff – I know that many of you have seen draft copies of an Executive Order related to the USRAP that is expected to be finalized and signed tomorrow. In light of this anticipated announcement, we've determined that it would be prudent to suspend circuit rides that are scheduled to depart between now and February 15.

We are also suspending the remaining PDBs planned for this week.

For our TDYers who are here in DC, we will be sharing information as soon as possible about travel arrangements for returning to home offices.

I hope to share more information tomorrow.

Barbara

Shirk, Georgette L

From: Nicholson, Maura J
Sent: Saturday, January 28, 2017 5:50 PM
To: Bird, John W (Wally); Kliska, Jennifer R; Kwan, Stephanie M; McAllum, Jessica L; Peralta Mihalko, Maria P (Pilar); Rankin, Carrie A
Cc: Benedict, Deborah L [REDACTED]
Subject: FW: FOR REVIEW: Draft interim guidance on EO (b)(6)
Attachments: DRAFT EO Guidance to IO - 20170128 v.1.docx

Importance: High

BCs,

Wanted to give you a heads up on the draft guidance I issued to the DDs/DDDs for their input. While most of this deals with refugee and I-730 processing, please note that I've also instructed the field not to issue any decisions on any form type for any individual who is a national or dual national of one of the 7 nationalities referenced in the E.O. (Iraq, Iran, Libya, Somalia, Sudan, Syria, and Yemen). For HQ, this implicates parole cases.

Jess, on Monday, I'll need your help in running stats to identify IO cases with applicants or beneficiaries of these nationalities. I'll send you something separately on that. We'll also need to establish a case tag to help us i.d. cases being held due to the E.O.

Sorry to email on a weekend, but I wanted you to be able to weigh in, if desired, so that I can issue this guidance by COB tomorrow to the field.

Thanks,

Maura

From: Nicholson, Maura J
Sent: Saturday, January 28, 2017 6:42 PM
To: Monica, Donald J; Spalter, Brian M; Johnson, Bobble L; Langlois, Joseph E; Fatica, Erin K; Lassen, Brett H
Cc: Kliska, Jennifer R
Subject: FOR REVIEW: Draft interim guidance on EO
Importance: High

DDs/DDDs,

We are continuing to seek clarification on elements of the E.O. signed Friday night, so the situation remains rather fluid. That said, the attached is a draft outline of the guidance I'm hoping you can review – I want to ensure I've captured our immediate needs, understanding that we'll have fuller guidance once DHS implementing guidance is issued and USCIS is able to issue its own, as well. If you are able to provide a quick review and get me any comments or questions tomorrow, I'll incorporate your feedback into the 'final' interim guidance to the field tomorrow. Continue to send questions my way – they've been very helpful in flagging issues we need to address.

Still no decision on our 2 CRs. At this point, I don't expect I'll have a further update until after their processed ends on Monday, so the teams should plan to proceed business as usual. Hopefully with this knowledge they can fully enjoy their Sunday. I appreciate their patience very much; limbo is not a desirable place to be.

Thank you!

Maura

Maura J. Nicholson

Deputy Chief, International Operations Division

USCIS/Refugee, Asylum & International Operations



(b)(6)

Shirk, Georgette L

From: Nicholson, Maura J
Sent: Thursday, February 02, 2017 6:12 PM
To: Peralta Mihalko, Maria P (Pilar); Bird, John W (Wally); Mancuso, Deborah T; Teferra, Leikun (b)(6) Smith, Jon P; Caldwell, Julia L
Subject: FW: Implementing Guidance for January 27 Executive Order
Attachments: EO 1-27 implementation guidance signed and dated.pdf

All,

Based on the guidance acting D1 has issued, we are able to move forward with re-paroles for individuals already in the United States, regardless of nationality, as they are not affected by section 3(c) of the EO. However, we are still unable to issue parole approvals for individuals outside the U.S. who are nationals or dual nationals of the 7 countries. Wally has been alerting me to affected cases, and we will work with the FO and DHS to determine handling of those cases.

Thanks,

Maura

From: Nicholson, Maura J
Sent: Thursday, February 02, 2017 7:05 PM
To: RAIO - Oversea Managers; RAIO - International Ops - HQ
Subject: Implementing Guidance for January 27 Executive Order

IO colleagues,

Attached please find agency guidance on the handling of adjudications in light of the Executive Order (Protecting the Nation) signed on January 27, 2017.

A couple of clarifying points:

- Point 3 – until further guidance is issued on the handling of I-730 beneficiaries outside of the United States, please continue to follow the guidance I provided on January 29 (relevant text pasted below):
 - Do not issue any final approvals for any I-730 refugee following to join cases.
 - Do not issue any final approvals for I-730 asylee following to join adjudication and travel eligibility cases for nationals or dual nationals of the 7 countries referenced in the Executive Order (Iraq, Iran, Libya, Somalia, Sudan, Syria, and Yemen).

For these cases, please pause the Clock in CAMINO, and note as the reason Executive Order 1/27.

- Point 4 – IO staff will only interview religious minority cases if referred by State/PRM. We are working with State/PRM to determine the plan for refugee processing, including religious minorities, over the next 120 days and for the remainder of the year. We will let you know when processing of such cases will occur.

Further guidance related to IO adjudications not addressed in the attached will be forthcoming.

Thanks,

Maura

Maura J. Nicholson

Acting Chief, International Operations Division

USCIS/Refugee Asylum & International Operations

(b)(6)

Shirk, Georgette L

From: Nicholson, Maura J
Sent: Sunday, January 29, 2017 7:52 PM
To: Ruppel, Joanna
Subject: FW: IMPORTANT: Parole cases and Executive Order
Attachments: Pending Parole Cases as of 1-29-2017 affected nationalities.xlsx

Importance: High

FYI

From: Nicholson, Maura J
Sent: Sunday, January 29, 2017 8:52 PM
To: Peralta Mihalko, Maria P (Pilar); Bird, John W (Wally)
Cc: Kliska, Jennifer R; McAllum, Jessica L
Subject: IMPORTANT: Parole cases and Executive Order
Importance: High

Wally and Pilar,

I wanted to make sure you both were aware of the guidance I have issued below relative to adjudications and the impact of the EO. Effective immediately, please do not issue any approvals on parole cases where the applicant/beneficiary is a national or dual national (we will need to make sure to verify this) of Iraq, Iran, Libya, Somalia, Sudan, Syria, or Yemen. Those cases must go on hold. You may proceed processing denials to completion. I'll be coming out with something more official in the coming days. From a CAMINO report today, we seem to have quite a number of these cases, so I wanted to flag that for you.

Let's regroup tomorrow to make sure we have the right protocols in place to enact the holds.

Thanks,

Maura

From: Nicholson, Maura J
Sent: Sunday, January 29, 2017 7:58 PM
To: Monica, Donald J; Spalter, Brian M; Langlois, Joseph E; Johnson, Bobbie L; Fatica, Erin K; Lassen, Brett H
Cc: Ruppel, Joanna; Kliska, Jennifer R
Subject: Interim Guidance on Executive Order Signed January 27
Importance: High

DDs/DDDs,

I realize that you have many questions about the Executive Order and appreciate that you have been sending them forward. Please continue to do so. Unfortunately, things remain in flux and we do not have cleared guidance we can provide other than the following for the next few days or less (if we get additional guidance sooner):

- Do not issue any final approvals for any I-730 refugee following to join cases. Further guidance will be coming about how to update CAMINO, etc.

- Do not issue any final approvals for any other application, including I-730 asylee following to join adjudication and travel eligibility cases for nationals or dual nationals of the 7 countries referenced in the Executive Order (Iraq, Iran, Libya, Somalia, Sudan, Syria, and Yemen), with the exception of I-131As (see attached email). You can approve I-131As for all applicants following existing guidance, which requires that you flag for HQ any with serious derogatory information for possible discretionary denials. Further guidance will be coming.
- If you have refugee cases scheduled for Monday or Tuesday of this week, please cancel them if there is sufficient time to do so. If there is not sufficient time to cancel, then please collect the applicant's biometrics, review his or her bio-data for accuracy and completeness, and inform the applicant that he/she will be notified when the case is able to proceed in the future.

Right now, we are staying the course on the refugee CR in Indonesia; the team on the ground can continue interviewing and processing the cases there until further notice.

The above guidance is only a stop-gap to assist in addressing the most urgent needs for the next couple of days when more detailed cleared guidance can be issued. Also, for awareness, OCOMM is working on talking points and FAQs related to the Executive Order, which should be issued via USCIS Broadcast soon.

I appreciate the difficulty of being on the front line and getting inquiries from the public and others for which we don't yet have complete answers. Many people throughout the Agency and Department are working hard to sort out the impact of the E.O. on the Agency, and I will continue to keep you posted.

Thank you for your continued patience as we navigate the current policy changes.

Maura

Maura J. Nicholson
Deputy Chief, International Operations Division
USCIS/Refugee, Asylum & International Operations

(b)(6)

Shirk, Georgette L

From: Ruppel, Joanna
Sent: Sunday, January 29, 2017 6:37 PM
To: Nicholson, Maura J
Subject: FW: Interim guidance for IO

Importance: High

I am focusing on Lori's positive response to my two messages combined below (cut and pasted here to illustrate the two thoughts she said Yes to). As long as your message is consistent with this and clearly just interim, **stop-gap** message for tomorrow or Tuesday, short and sweet (don't worry about CAMINO updates, etc.), Lori should be fine with it:

We can also say they can process a request for boarding letter from LPR per existing guidance (our existing guidance directs them to contact HQ if there is significant derog). Would be consistent with press release Tracy just forwarded.

Do you want us to send a simply message like FOD and SCOPS and Asylum did to their leadership to just hold all decisions for cases from affected countries and proceed otherwise?

Note we have no cases for boarding letters pending from the affected countries.

Joanna Ruppel
Acting Associate Director
USCIS Refugee, Asylum and International Operations

 (b)(6)

From: Ruppel, Joanna
Sent: Sunday, January 29, 2017 6:39 PM
To: Nicholson, Maura J
Subject: FW: Interim guidance for IO

Launch with revised and just copy me then go do something relaxing.

Joanna Ruppel
Chief, International Operations Division
U.S. Citizenship and Immigration Services

 (b)(6)

From: Scialabba, Lori L
Sent: Sunday, January 29, 2017 3:37:33 PM
To: Ruppel, Joanna; Renaud, Tracy L
Cc: Nicholson, Maura J
Subject: RE: Interim guidance for IO

Yes. Say consistent with SIs directive regarding LPRs.

From: Ruppel, Joanna
Sent: Sunday, January 29, 2017 6:31:33 PM
To: Scialabba, Lori L; Renaud, Tracy L
Cc: Nicholson, Maura J
Subject: RE: Interim guidance for IO

We can also say they can process a request for boarding letter from LPR per existing guidance (our existing guidance directs them to contact HQ if there is significant derog). Would be consistent with press release Tracy just forwarded.

Joanna Ruppel
Chief, International Operations Division
U.S. Citizenship and Immigration Services

 (b)(6)

From: Ruppel, Joanna
Sent: Sunday, January 29, 2017 3:12:32 PM
To: Scialabba, Lori L; Renaud, Tracy L
Cc: Nicholson, Maura J
Subject: RE: Interim guidance for IO

Do you want us to send a simply message like FOD and SCOPS and Asylum did to their leadership to just hold all decisions for cases from affected countries and proceed otherwise?

Note we have no cases for boarding letters pending from the affected countries.

Joanna Ruppel
Acting Associate Director
USCIS Refugee, Asylum and International Operations

 (b)(6)

From: Scialabba, Lori L
Sent: Sunday, January 29, 2017 6:10 PM
To: Ruppel, Joanna; Renaud, Tracy L
Cc: Nicholson, Maura J
Subject: RE: Interim guidance for IO

I don't think you can send this as it is.

From: Ruppel, Joanna
Sent: Sunday, January 29, 2017 6:01:45 PM
To: Renaud, Tracy L; Scialabba, Lori L
Cc: Nicholson, Maura J
Subject: FW: Interim guidance for IO

Tracy and Lori,

Just as FOD, SCOPs and Asylum have sent out guidance to staff to hold certain cases tomorrow, IO plans to send out the following tonight to address the questions we have been getting and ensure staff do not violate the E.O. Please let me know if you have any objections.

The guidance is only intended for cases this week, until we can issue cleared guidance.

Thanks,

Joanna

From: Nicholson, Maura J
Sent: Sunday, January 29, 2017 5:48 PM
To: Ruppel, Joanna
Subject: Interim guidance for IO
Importance: High

Joanna – this is what I'd like to send to the Field Managers. I'll attach the EO when I send it for their reference.

International Managers,

We continue to work as rapidly as possible to get clarification on implementation of the Executive Order signed on January 27, 2017 (attached for reference), and are working on detailed guidance to help field staff address various scenarios you may be encountering overseas. In the meantime, please follow the below guidance for the next few days until more complete guidance is available:

1. Refugee-Related Processing

- A. For all I-590 Refugee Cases (all nationalities), all I-730 Refugee Follow-to-Join cases (all nationalities), and I-730 Asylee Follow-to-Join cases where the beneficiary is a national of Iraq, Iran, Libya, Somalia, Sudan, Syria, and Yemen:**

1. Interview already scheduled this week, sufficient time to cancel

- Cancel interview, even if Lautenberg or other religious minority case. We will offer further guidance on these types of cases as soon as it is available.

- If I-730 cases, pause CAMINO Clock effective 1/27/2017; enter note "Per Executive Order".

2. Interview already scheduled, insufficient time to cancel

- Collect fingerprints, review bio-data on case for accuracy and completeness, and notify applicant that he/she will be contacted with additional information in the future when we are able to proceed in the processing of his or her case.
- For I-730 cases, pause CAMINO Clock effective 1/27/2017; enter note "Per Executive Order".

3. Interview not yet scheduled

- Do not schedule any cases until further notice.
- For I-730 cases, pause CAMINO Clock effective 1/27/2017; enter note "Per Executive Order".

4-6 below relate to I-730 Refugee Follow-to-Joins (all nationalities) and I-730 Asylee Follow-to-Joins of the 7 nationalities (Only)

4. Already interviewed, pending decision or travel packet issuance

- No final decisions or travel packets should be issued. Pause CAMINO Clock effective 1/27/2017; enter note "Per Executive Order".

5. If new cases received

- Immediately pause the Clock upon case entry, noting 1/27/2017 E.O.

Note: I-730 Asylee Follow-to-Join cases of all other nationalities can continue processing to completion, as usual.

B. I-590 Adjudications, I-590 Supervisory Review and I-602 Adjudications

- Staff should stop making decisions or completing supervisory review until further notice.

C. RFR Adjudications

- You may continue to process RFR adjudications to completion if they are denials. All others should be held until further notice and the Clock in CAMINO paused as of 1/27/2017.

2. All Other Benefit Types where the Applicant/Beneficiary is a national or dual national of Iraq, Iran, Libya, Somalia, Sudan, Syria, or Yemen

You may continue processing other case types but do not issue any final decisions until further notice, including I-131A boarding letters. If you receive an I-131A boarding letter request from a national or dual national of one of the 7 countries listed above, please contact me and Jen Kliska for guidance. I-407 abandonments can continue to be processed.

3. Handling of Inquiries

If you receive inquiries from foreign governments about any DHS equities related to the Executive Orders, please direct those inquiries to Matt King, Deputy Assistant Secretary, Policy at [REDACTED] Please do not provide his contact information to parties external to USCIS.

The above guidance is only a stop-gap to assist in addressing the most urgent needs for the next few days or even this week when more detailed cleared guidance can be issued. Also, for awareness, OCOMM is also working on talking points and FAQs related to the Executive Order, which should be issued via USCIS Broadcast soon. (b)(6)

If districts can continue to collect and consolidate questions from the field, that would be helpful. I appreciate the difficulty of being on the front line and getting inquiries from the public and others for which we don't yet have complete answers. Many people throughout the Agency and Department are working hard to sort out impact of the E.O. on the Agency. I appreciate your patience during this effort!

More to follow soon. Thank you for your continued support and dedication as we navigate the current policy changes!

Maura

Maura J. Nicholson
Deputy Chief, International Operations Division
USCIS/Refugee, Asylum & International Operations

[REDACTED] (b)(6)

Shirk, Georgette L

From: Nicholson, Maura J
Sent: Thursday, February 02, 2017 6:05 PM
To: RAIO - Oversea Managers; RAIO - International Ops - HQ
Subject: Implementing Guidance for January 27 Executive Order
Attachments: EO 1-27 implementation guidance signed and dated.pdf

IO colleagues,

Attached please find agency guidance on the handling of adjudications in light of the Executive Order (Protecting the Nation) signed on January 27, 2017.

A couple of clarifying points:

- Point 3 – until further guidance is issued on the handling of I-730 beneficiaries outside of the United States, please continue to follow the guidance I provided on January 29 (relevant text pasted below):
 - Do not issue any final approvals for any I-730 refugee following to join cases.
 - Do not issue any final approvals for I-730 asylee following to join adjudication and travel eligibility cases for nationals or dual nationals of the 7 countries referenced in the Executive Order (Iraq, Iran, Libya, Somalia, Sudan, Syria, and Yemen).

For these cases, please pause the Clock in CAMINO, and note as the reason Executive Order 1/27.

- Point 4 – IO staff will only interview religious minority cases if referred by State/PRM. We are working with State/PRM to determine the plan for refugee processing, including religious minorities, over the next 120 days and for the remainder of the year. We will let you know when processing of such cases will occur.

Further guidance related to IO adjudications not addressed in the attached will be forthcoming.

Thanks,

Maura

Maura J. Nicholson
Acting Chief, International Operations Division
USCIS/Refugee, Asylum & International Operations

 (b)(6)

Shirk, Georgette L

From: Nicholson, Maura J
Sent: Sunday, January 29, 2017 7:52 PM
To: Peralta Mihalko, Maria P (Pilar); Bird, John W (Wally)
Cc: Kliska, Jennifer R; McAllum, Jessica L
Subject: IMPORTANT: Parole cases and Executive Order
Attachments: Pending Parole Cases as of 1-29-2017 affected nationalities.xlsx

Importance: High

Wally and Pilar,

I wanted to make sure you both were aware of the guidance I have issued below relative to adjudications and the impact of the EO. Effective immediately, please do not issue any approvals on parole cases where the applicant/beneficiary is a national or dual national (we will need to make sure to verify this) of Iraq, Iran, Libya, Somalia, Sudan, Syria, or Yemen. Those cases must go on hold. You may proceed processing denials to completion. I'll be coming out with something more official in the coming days. From a CAMINO report today, we seem to have quite a number of these cases, so I wanted to flag that for you.

Let's regroup tomorrow to make sure we have the right protocols in place to enact the holds.

Thanks,

Maura

From: Nicholson, Maura J
Sent: Sunday, January 29, 2017 7:58 PM
To: Monica, Donald J; Spalter, Brian M; Langlois, Joseph E; Johnson, Bobbie L; Fatica, Erin K; Lassen, Brett H
Cc: Ruppel, Joanna; Kliska, Jennifer R
Subject: Interim Guidance on Executive Order Signed January 27
Importance: High

DDs/DDDs,

I realize that you have many questions about the Executive Order and appreciate that you have been sending them forward. Please continue to do so. Unfortunately, things remain in flux and we do not have cleared guidance we can provide other than the following for the next few days or less (if we get additional guidance sooner):

- Do not issue any final approvals for any I-730 refugee following to join cases. Further guidance will be coming about how to update CAMINO, etc.
- Do not issue any final approvals for any other application, including I-730 asylee following to join adjudication and travel eligibility cases for nationals or dual nationals of the 7 countries referenced in the Executive Order (Iraq, Iran, Libya, Somalia, Sudan, Syria, and Yemen), with the exception of I-131As (see attached email). You can approve I-131As for all applicants following existing guidance, which requires that you flag for HQ any with serious derogatory information for possible discretionary denials. Further guidance will be coming.
- If you have refugee cases scheduled for Monday or Tuesday of this week, please cancel them if there is sufficient time to do so. If there is not sufficient time to cancel, then please collect the applicant's biometrics, review his

or her bio-data for accuracy and completeness, and inform the applicant that he/she will be notified when the case is able to proceed in the future.

Right now, we are staying the course on the refugee CR in Indonesia; the team on the ground can continue interviewing and processing the cases there until further notice.

The above guidance is only a stop-gap to assist in addressing the most urgent needs for the next couple of days when more detailed cleared guidance can be issued. Also, for awareness, OCOMM is working on talking points and FAQs related to the Executive Order, which should be issued via USCIS Broadcast soon.

I appreciate the difficulty of being on the front line and getting inquiries from the public and others for which we don't yet have complete answers. Many people throughout the Agency and Department are working hard to sort out the impact of the E.O. on the Agency, and I will continue to keep you posted.

Thank you for your continued patience as we navigate the current policy changes.

Maura

Maura J. Nicholson
Deputy Chief, International Operations Division
USCIS/Refugee Asylum & International Operations

(b)(6)